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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Febvre *et al.*

Appl. No. 09/439,348

Filed: November 15, 1999

For: **Communication Methods And  
Apparatus**

Art Unit: 2661

Examiner: Vanderpuye, Ken N.

Atty. Docket: 1487.0160000

**Power to Inspect and Make Copies**

Honorable Commissioner  
of Patents and Trademarks  
Washington, D.C. 20231

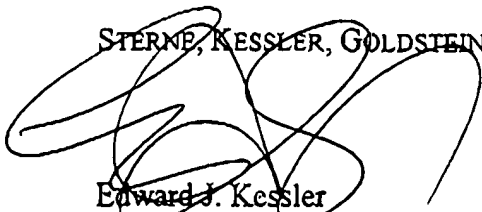
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Sir:

The undersigned attorney of record, by virtue of the Power of Attorney filed at the U.S. Patent and Trademark Office on November 15, 1999, hereby authorizes DIGIPAT, its representatives Terry W. Kramer, Byron Galvez and Shoaib Ghayour of 2001 Jefferson Davis Highway, Suite 1101, Arlington, VA 22202 to inspect and make copies of the file for the above-identified application.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

  
Edward J. Kessler  
Attorney for Applicants  
Registration No. 25,688

Date: 10/11/00

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Washington, D.C. 20005-3934  
(202) 371-2600



STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

ATTORNEYS AT LAW

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\*\*REGISTERED PATENT AGENTS

July 17, 2000

WRITER'S DIRECT NUMBER:  
(202) 371-2670

INTERNET ADDRESS:  
LALCORN@SKGF.COM

Commissioner for Patents  
Washington, D.C. 20231

Box Missing Parts

Re: U.S. Patent Application  
Appl. No.: 09/439,348; Filed: November 15, 1999  
For: Communication Methods and Apparatus  
Inventors: Febvre *et al.*  
Our Ref: 1487.0160000/LEA/DTJ

Sir:

In reply to the "Notice to File Missing Parts of Application--Filing Date Granted," dated December 15, 1999, Applicants submit the following documents for appropriate action by the U.S. Patent and Trademark Office:

1. Petition for Extension of Time under 37 C.F.R. § 1.136 (in duplicate);
2. PTO Fee Transmittal Form PTO/SB/17 (in duplicate);
3. Copy of the Notice to File Missing Parts;
4. Original Combined Declaration and Power of Attorney for Patent Application, executed by Paul Febvre, Edward Arthur Jones and Panagiotis Fines, including a copy of the specification as filed;
5. Original Declaration for Patent Application under 37 C.F.R. § 1.47, executed by Diana Hawthorne, including Exhibit A;

Commissioner for Patents

July 17, 2000

Page 2

6. Supplemental Preliminary Amendment;
7. Claim to Priority under 35 U.S.C. § 119(a)-(d);
8. A certified copy of United Kingdom Patent Application No. 9905182.3, filed March 5, 1999, priority of which is hereby claimed;
9. Return postcard; and
10. Our Check No. 28123 for \$3,418.00 to cover:
  - \$760.00 Filing Fee for Patent Application (37 C.F.R. § 1.16)
  - \$624.00 Fee for excess independent claims (37 C.F.R. § 1.16)
  - \$54.00 Fee for excess claims (37 C.F.R. § 1.16)
  - \$130.00 Surcharge for late filing of Declaration (37 C.F.R. § 1.16)
  - \$1,850.00 For extension of time fees under 37 C.F.R. § 1.136.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. If extensions of time under 37 C.F.R. § 1.136 other than those otherwise provided for herewith are required to prevent abandonment of the present patent application, then such extensions of time are hereby petitioned, and any fees therefor are hereby authorized to be charged to our Deposit Account No. 19-0036. A duplicate copy of this letter is enclosed.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

*Linda E. Alcorn*

Linda E. Alcorn  
Attorney for Applicants  
Registration No. 39,588

LEA:DTJ:mal

Enclosures

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UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
09/439,348	11/15/99	FEBVRE	P 1487.0160000

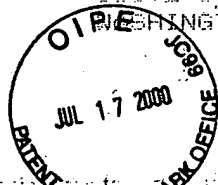
0222/1215  
STERNE KESSLER GOLDSTEIN & FOX PLLC  
ATTORNEYS AT LAW  
SUITE 600-1100 NEW YORK AVENUE NW  
WASHINGTON DC 20005-3934

NOT ASSIGNED

2749

DATE MAILED:

12/15/99



### NOTICE TO FILE MISSING PARTS OF APPLICATION

**Filing Date Granted**

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of ☐ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☒ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a ☐ small entity (statement filed) ☒ non-small entity is \$ 1,840.

☒ 1. The statutory basic filing fee is:

- ☒ missing  
☐ insufficient.

Applicant must submit \$ 760 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

☒ 2. The following additional claims fees are due:

\$ 75 for 4 total claims over 20.  
\$ 224 for 8 independent claims over 3.  
\$ 200 for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

☒ 3. The oath or declaration:

- ☒ is missing or unsigned.  
☐ does not cover the newly submitted items.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(a)).

☐ 7. Your filing receipt was mailed in error because your check was returned without payment.

☐ 8. The application was filed in a language other than English.

Applicant must file a verified English translation of the application, the \$130.00 set forth in 37 CFR 1.52(k), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).

☐ 9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

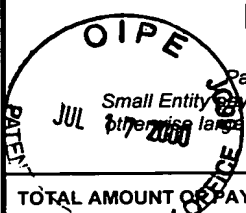
**A copy of this notice MUST be returned with the reply.**

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

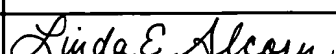
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FC:101  
FC:105  
FC:103  
FC:102

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 <h2 style="margin: 0;">FEE TRANSMITTAL</h2> <p style="margin: 0;">for FY 2000</p> <p style="margin: 0; font-size: small;">Patent fees are subject to annual revision. Small Entity payments <u>must</u> be supported by a small entity statement, otherwise large entity fees must be paid. See Forms PTO/SB/09-12. See 37 C.F.R. §§ 1.27 and 1.28.</p>		<b>Complete if Known</b>													
<b>TOTAL AMOUNT OF PAYMENT</b>		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Application Number</td> <td>09/439,348</td> </tr> <tr> <td>Filing Date</td> <td>November 15, 1999</td> </tr> <tr> <td>First Named Inventor</td> <td>Febvre et al.</td> </tr> <tr> <td>Examiner Name</td> <td>To be Assigned</td> </tr> <tr> <td>Group / Art Unit</td> <td>2749</td> </tr> <tr> <td>Attorney Docket Number</td> <td>1487.0160000/LEA/DTJ</td> </tr> </table>		Application Number	09/439,348	Filing Date	November 15, 1999	First Named Inventor	Febvre et al.	Examiner Name	To be Assigned	Group / Art Unit	2749	Attorney Docket Number	1487.0160000/LEA/DTJ
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(\$3,418.00)															

<h3 style="text-align: center; margin: 0;">METHOD OF PAYMENT (check one)</h3> <p>1. <input type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayment to:</p> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <tr> <td style="width: 30%;">Deposit Account Number</td> <td>19-0036</td> </tr> <tr> <td>Deposit Account Name</td> <td>Sterne, Kessler, Goldstein &amp; Fox P.L.L.C.</td> </tr> </table> <p><input type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR §§ 1.16 and 1.17</p> <p>2. <input checked="" type="checkbox"/> Payment Enclosed: <input checked="" type="checkbox"/> Check <input type="checkbox"/> Money Order <input checked="" type="checkbox"/> Other*  <small>*Charge any deficiencies or credit any overpayments in the fees or fee calculations of Parts 1, 2 and 3 below to Deposit Account No. 19-0036.</small></p> <h3 style="text-align: center; margin: 10px 0;">FEE CALCULATION</h3> <div style="margin-bottom: 10px;"> <h4>1. BASIC FILING FEE</h4> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Large Fee Code</th> <th>Entity Fee (\$)</th> <th>Small Fee Code</th> <th>Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td>101</td> <td>690</td> <td>201</td> <td>345</td> <td>Utility filing fee</td> <td>\$760.00</td> </tr> <tr> <td>106</td> <td>310</td> <td>206</td> <td>155</td> <td>Design filing fee</td> <td></td> </tr> <tr> <td>107</td> <td>480</td> <td>207</td> <td>240</td> <td>Plant filing fee</td> <td></td> </tr> <tr> <td>108</td> <td>690</td> <td>208</td> <td>334</td> <td>Reissue filing fee</td> <td></td> </tr> <tr> <td>114</td> <td>150</td> <td>214</td> <td>75</td> <td>Provisional filing fee</td> <td></td> </tr> <tr> <td colspan="5" style="text-align: right;"><b>SUBTOTAL (1) (\$)</b></td> <td><b>\$760.00</b></td> </tr> </tbody> </table> </div> <div> <h4>2. EXTRA CLAIM FEES</h4> <table style="width: 100%;"> <tr> <td style="text-align: right;">Total Claims</td> <td style="text-align: center;">23</td> <td style="text-align: center;">- 20** =</td> <td style="text-align: center;">3</td> <td style="text-align: center;">X</td> <td style="text-align: center;">18</td> <td style="text-align: center;">=</td> <td style="text-align: right;">\$54.00</td> </tr> <tr> <td style="text-align: right;">Indep. Claims</td> <td style="text-align: center;">11</td> <td style="text-align: center;">- 3** =</td> <td style="text-align: center;">8</td> <td style="text-align: center;">X</td> <td style="text-align: center;">78</td> <td style="text-align: center;">=</td> <td style="text-align: right;">\$624.00</td> </tr> <tr> <td style="text-align: right;">Multiple Dependent</td> <td colspan="6"></td> <td style="text-align: right;">=</td> </tr> </table> <p style="font-size: small;">** or number previously paid, if greater; For Reissues, see below</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Large Fee Code</th> <th>Entity Fee (\$)</th> <th>Small Fee Code</th> <th>Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td>103</td> <td>18</td> <td>203</td> <td>9</td> <td>Claims in excess of 20</td> <td></td> </tr> <tr> <td>102</td> <td>78</td> <td>202</td> <td>39</td> <td>Independent claims in excess of 3</td> <td></td> </tr> <tr> <td>104</td> <td>260</td> <td>204</td> <td>130</td> <td>Multiple dependent claim</td> <td></td> </tr> <tr> <td>108</td> <td>78</td> <td>209</td> <td>39</td> <td>**Reissue independent claims over original patent</td> <td></td> </tr> <tr> <td>110</td> <td>18</td> <td>210</td> <td>9</td> <td>**Reissue claims in excess of 20 and over original patent</td> <td></td> </tr> <tr> <td colspan="5" style="text-align: right;"><b>SUBTOTAL (2) (\$)</b></td> <td><b>\$678.00</b></td> </tr> </tbody> </table> </div>	Deposit Account Number	19-0036	Deposit Account Name	Sterne, Kessler, Goldstein & Fox P.L.L.C.	Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid	101	690	201	345	Utility filing fee	\$760.00	106	310	206	155	Design filing fee		107	480	207	240	Plant filing fee		108	690	208	334	Reissue filing fee		114	150	214	75	Provisional filing fee		<b>SUBTOTAL (1) (\$)</b>					<b>\$760.00</b>	Total Claims	23	- 20** =	3	X	18	=	\$54.00	Indep. Claims	11	- 3** =	8	X	78	=	\$624.00	Multiple Dependent							=	Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid	103	18	203	9	Claims in excess of 20		102	78	202	39	Independent claims in excess of 3		104	260	204	130	Multiple dependent claim		108	78	209	39	**Reissue independent claims over original patent		110	18	210	9	**Reissue claims in excess of 20 and over original patent		<b>SUBTOTAL (2) (\$)</b>					<b>\$678.00</b>
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<b>SUBMITTED BY</b>				<b>Complete (if applicable)</b>	
Typed or Printed Name		Linda E. Alcorn		Reg. Number	
Signature				39,588	
Date		July 17, 2000		Deposit Acct. User ID	

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Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

SKGF Rev. 3/11/00 mac

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